

United States District Court  
Southern District of New York

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UNITED STATES OF AMERICA,

- against -

04 Cr. 248 (JGK)

GARY KISS,

MEMORANDUM OPINION  
AND ORDER

Defendant.

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JOHN G. KOELTL, District Judge:

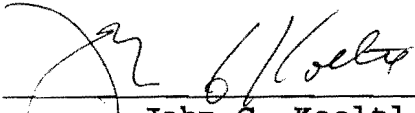
The defendant moves for the early termination of his supervised release. He has served approximately three years of his five-year term of supervised release. He argues that he has complied with all of the terms of his supervised release. However, the defendant has failed to show that there are exceptional circumstances or changed circumstances that warrant altering the original term of supervised release. See, e.g., United States v. Lussier, 104 F.3d 32, 36 (2d Cir. 1997).

Therefore, the defendant's application for early termination of supervised release is **denied** at this time. The denial is without prejudice to any application the defendant may make in the future explaining why there are exceptional or changed circumstances warranting the early termination of supervised release. The defendant should discuss this issue with the Probation Office.

The Clerk is directed to close Docket No. 27.

SO ORDERED.

Dated: New York, New York  
May 17, 2011

  
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John G. Koeltl  
United States District Judge